

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor	: Lon S. Weiner et al.	
Appln. No.	: 10/699,313	
Filed	: October 30, 2003	Group Art Unit: 3743
Title	: METHOD OF FRACTURE FIXATION (as amended)	Examiner: Araj, Michael
Docket No.	: M913.12-9	

**SUBSTITUTE AMENDMENT**

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

FILED ELECTRONICALLY

Sir:

This is in response to the Notice of Non-Compliant Amendment mailed May 15, 2007, and in response to the Office Action mailed March 26, 2007. The Notice of Non-Compliant Amendment indicated that Applicant's April 26, 2007 Amendment did not include a complete listing of all the claims. To the contrary, Applicant's April 26, 2007 Amendment did include a complete listing of all the claims ever presented in the application. The undersigned accordingly called Theresa Dawkins, the Legal Instruments Examiner who issued the Notice of Non-Compliant Amendment, on numerous occasions, each time leaving messages to have calls returned to explain the basis for the Notice of Non-Compliant Amendment. Ms. Dawkins never returned these telephone messages. On August 1, 2007, Ms. Dawkins answered her phone and indicated that the basis for the Notice of Non-Compliant Amendment had to do with claims 1-20. Claims 1-20 were never presented in this application (see 37 CFR 1.121, which requires a listing of all claims "ever presented in the application"), but rather were canceled in the Preliminary Amendment filed with the October 30, 2003 application papers. Nonetheless, this Substitute Amendment adds line "1-20. Canceled." in the claim listing, but otherwise is identical to the April 26, 2007 Amendment.

Please amend the application as follows: